

VILLAGE OF CANTON PLANNING BOARD MINUTES

July 17, 2018 7:00 P.M. Municipal Building, Canton, NY

Members Present: Chairperson Barry Walch, John Hill, Nick Kocher, Charles Rouse, Code Enforcement Officer Jeff Murray, Recording Secretary Ginger Thomas

Members Absent: Sara Pabis, Jessica Prody

Others Present: Christian Exoo, Maria J. Corse, Aaron Jarvis - Tisdell Associates, Dan Semans - SLU, Evelyn Jennings, William Jennings, Ken Gibson

Minutes

Prior to approving the minutes from the June 19, 2018 Planning Board meeting, Mr. Rouse requested the review provided by the County Planning Board in regard to the special use permit for the Grace Episcopal Church rectory be looked over again to ensure that all recommendations are included in the minutes. Approval of the minutes for the meeting was tabled until the County Planning Office document could be discussed.

Public Hearing for 48 Riverside Drive Proposed Deep Roots Center

Chairperson Walch explained that a public hearing was being held to allow all interested residents to hear about the proposed Deep Roots Center project. At a previous meeting, Village Planning Board members understood that the Deep Roots Center was an Educational Consultancy which helps people with homeschooling. There are two employees who help children and families through the homeschool process. Students can make use the computers and other materials at the center during the school day. It is possible up to 15 students may take advantage of the site. Students may arrive in carpools for efficiency. The Center helps people on a sliding scale. The Center will be used primarily during the school year and for two weeks at the start of the summer.

The proposed new location for the Deep Roots Center, at 48 Riverside Drive, is in an R-2 district. There are more allowed uses in a R-2 district than in a R-1 district such as accessory apartments, churches, schools, home occupations, day care centers, and group dwellings. The Riverside Drive property was previously used as a four unit student housing building. The owner no longer wants to rent the building and is interested in selling. The Board of Directors for Deep Roots would like to buy the property and use this for the site of their program.

It was explained that no one would be living at the property. It would be in used only during the school day, not 24 hours a day. No school buses would come to the property since the Center is not considered a school. The number of people who will be at the house at any one time will be two staff members and, at most, 15 students. The students will be in grades Kindergarten to grade 12, ages 5 to 19. Currently the program has been located above the thrift shops on Main Street and although the students go into the community on occasion, there have been no issues.

Their one rule is respect. Ms. Corse explained that if the Board of Directors buy the house they are planning on painting it and putting on a new roof. They do not plan on doing any major construction. The house is advertised as 1400 square feet in size which will be ample for the number of students. There is one full bathroom downstairs and another room with a shower and a sink. Upstairs there is a room with a tub and a toilet. The students will use various rooms in the house but there will not be any traditional classrooms. The garage and the basement will also be used for projects. No students will stay overnight. Most often there will be only two cars present during the day, unless SLU students come to help on occasion.

Mr. Walch shared that the meeting had been publicized as a site plan review but since there was no change in structure proposed it could have been called a permit review. However, it was the intent of the Planning Board to be sure the public was aware of project since it was different and not a use listed in the Code. The Deep Roots program is operated as a nonprofit 501-C3 corporation. It was not clear if property taxes would be paid if the property were owned by the corporation. The Code Enforcement officer said he would be looking into the fire code requirements.

Mr. Jennings, a next door neighbor to the property, said he was disappointed a family was not going to be moving in and renovating the property. He said there had been vandalism in the past and his house had been shot at. College students frequently travel through the area. It was mentioned that the original single family house had been converted to three apartments but recently had been left decaying. Mrs. Jennings said she had heard there was so much repair needed people couldn't afford to buy it. Mr. Jennings stated that the addition on the back is starting to rot and is harboring skunks. Mr. Rouse shared that he had been called in as a consultant to look over the house for people who were potential buyers. He agreed there was much that needed to be repaired, including potential problems with an arched beam and the area under the garage appeared to be hollow. He said the porch has been taking on water for a long time and is soft. Mrs. Jennings said the outside of the building had not been taken care of for a long time. She was also concerned about trees along the property line falling down and causing safety issues. The fencing appears to be falling down as well and she was worried children could fall off the side of the garage. Ms. Corse said an inspection was going to be completed on Monday and they were aware some of the ash trees might need to come down. They also intended to put a railing around the top of the garage for safety. They have already put in a purchase offer on the property but it is contingent upon the Planning Board approving the project.

The property measures approximately 1/2 acre in size and since the Deep Roots is not a school the minimum lot size does not apply. A certificate of occupancy will be needed before the property could be used for the consultancy. Planning Board members discussed the issue of whether the proposed use could be considered a "use deemed similar" to uses listed as allowed in an R-2 district. At the last meeting the Board felt that it was. Mr. Kocher summarized the main argument was that the students were not present every day. They can come to develop a learning plan then come to the site or work at home. There is no degree offered, no faculty, and no

curriculum. It is similar to a day care but with a different purpose. Mr. Kocher suggested approving the project contingent upon the property meeting safety codes. Mr. Hill recommended the Code Enforcement Officer do an inspection and look for building code issues. Since the maintenance had been deferred there was probably a quantity of work that would need to be done. Board members stated that a privacy fence should be installed between properties, the garage structure needs to be safe and rail installed, and trees should be trimmed to eliminate safety issues. It was also mentioned that the building should be kept in the spirit of the neighborhood and maintain the residential character. No features should be added that would not be found in a residential, family house. No accumulation of cars should be on the property which would be unlike residential use. Mr. Hill pointed out that a qualified engineer may be needed to determine if a beam is safe.

Mr. Kocher made a motion that the special use permit be granted with the stipulation that an inspection be completed by the Code Enforcement Officer and all Code points and safety issues are addressed. The residential character of the property also needs to be maintained. Mr. Hill seconded the motion which was carried unanimously.

Mr. Murray said after the planned property inspection was completed on the following Monday, he would review the report and complete an inspection himself on Friday.

Conceptual Review for renovations to Appleton Arena

Mr. Jarvis explained there are renovations planned for Appleton area in two stages. The first stage will expand the building along Miner Street. New locker rooms, double the current size, will be installed along with coaching spaces and a strengthening and conditioning center. The sidewalk will be replaced and the entrances will be reconfigured, however the capacity of the entrances and exists will remain the same. The addition will be a single story but the roof will be brought up for more space. The current exterior block wall will divide the exiting area and the new construction. There will continue to be adequate side yard setback between the curb and the building. It is expected construction will begin in March or April. Planning Board members had no concerns about the project.

Bessett's Beverage and Groceries sign permit

A sign permit was requested to install a new 4' X 4', free standing sign with a maximum height of 10 feet. The sign has logos and a picture as well as lettering. The sign meets all Code requirements. Mr. Kocher made a motion to approve the sign. Mr. Hill seconded the motion which was carried.

Pat Collins Reality sign permit

It is proposed that an existing Pat Collins Reality sign with be replaced with a sign identical to the current sign with the exception of some wooden pieces added at the top of the sign. Mr. Rouse made a motion to approve the sign with a second from Mr. Hill. The motion was carried.

Planning Board Updates

Board members discussed the issue of a house being used inappropriately as a fraternity, possibly without permission from the college. Mr. Murray stated that it was hard to prove that it was a fraternity. It was mentioned that reopening the discussion about rental registration where owners sign that their house is in compliance may help such issues. Mr. Murray stated that enforcement of a rental registration may be impossible for the Code Enforcement Office to do.

Adjournment

The meeting was adjourned at 8:20 pm.

Respectfully submitted,

Ginger Thomas, Recording Secretary

Chairperson Barry Walch